



**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF ILLINOIS**  
**219 SOUTH DEARBORN STREET**  
**CHICAGO, ILLINOIS 60604**

**MICHAEL W. DOBBINS**  
CLERK

312-435-5670

May 15, 2008

Mr. Gino J. Agnello, Clerk  
U.S. Court of Appeals-Seventh Circuit  
219 South Dearborn Street-Room 2722  
Chicago, Illinois 60604

RE: USA -v- Cruz

U.S.D.C. DOCKET NO. : 07 cr 783

U.S.C.A. DOCKET NO. : 08 - 2114

Dear Mr. Agnello:

Please find attached the original record on appeal consisting of the following:

VOLUME(S) OF PLEADING(S) *1 Volume of Pleadings*

VOLUME(S) OF TRANSCRIPT(S)

VOLUME(S) OF DEPOSITION(S)

EXHIBITS:

VAULT ITEMS: *2 Vault Items*

OTHER (SPECIFY):

SPECIAL NOTE:

Please acknowledge date of receipt of the above mentioned materials on the attached copy of this letter.

Very truly yours,

Michael W. Dobbins, Clerk

By: \_\_\_\_\_  
D. Jordan, Deputy Clerk

**I, MICHAEL W. DOBBINS, CLERK** of the United States District Court for the Northern District of Illinois, do hereby certify to the United States Court of Appeals, for the Seventh Circuit, that the documents submitted herewith and annexed hereto are the original papers filed and entered of record in my office, on the dates in the List of Documents, and together with a true copy of docket entries as they appear in the official dockets in this office, consisting of:

*1 Volume of Pleadings*  
*2 Vaulted Items*

In the cause entitled: USA -v- Cruz.

USDC NO. : 07 cr 783-1

USCA NO. : 08-2114

IN TESTIMONY WHEREOF, I hereunto subscribed my name and affixed the seal of the aforesaid Court at Chicago, Illinois, this 15th day of May 2008.

MICHAEL W. DOBBINS, CLERK

By: \_\_\_\_\_  
D. Jordan, Deputy Clerk

**United States District Court**

**Northern District of Illinois  
219 South Dearborn Street  
Chicago, Illinois 60604**

I, MICHAEL W. DOBBINS, CLERK of the United States District Court for the Northern District of Illinois, do hereby certify to the United States Court of Appeals, for the Seventh Circuit, that the following is transmitted as part of the record on appeal in the cause entitled:

USDC No.: 07 cr 783

USCA No.: 08 - 2114

FILED DATE	ITEM NO.	DESCRIPTION
<i>5/12/08</i>	<i>25</i>	<i>VAULT ITEM</i>
<i>5/12/08</i>	<i>26</i>	<i>VAULT ITEM</i>

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid court at Chicago Illinois, this 15th day of May 2008.

MICHAEL W. DOBBINS, CLERK

By: \_\_\_\_\_  
D. Jordan, Deputy Clerk

APPEAL, DENLOW

**United States District Court  
Northern District of Illinois - CM/ECF LIVE, Ver 3.1.3 (Chicago)  
CRIMINAL DOCKET FOR CASE #: 1:07-cr-00783-1  
Internal Use Only**

Case title: USA v. Cruz

Date Filed: 11/28/2007

Date Terminated: 04/15/2008

Assigned to: Honorable Matthew F.  
Kennelly

**Defendant (1)**

**Jaime Barraza Cruz**  
*TERMINATED: 04/15/2008*

represented by **Thomas More Leinenweber**  
Leinenweber & Baroni, LLC  
321 South Plymouth Court  
Suite 1515  
Chicago, IL 60604  
(312) 663-3003  
Email: thomas@landb.us  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Pending Counts**

; 6:202(4) REENTRY OF DEPORTED  
ALIENS  
(1)

**Disposition**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of Sixty-Four (64) Months. The defendant is remanded to the custody of the United States Marshal. (Additional Imprisonment Terms). Upon release from imprisonment, the defendant shall be on supervised release for a term of Three (3) Years. (Additional Supervised Release Terms). Criminal Monetary Penalties. Schedule of Payments.

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

**Disposition**

None

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff**

USA

represented by **Jacqueline O. Stern**  
 United States Attorney's Office (NDIL)  
 219 South Dearborn Street  
 Suite 500  
 Chicago, IL 60604  
 (312) 353-5300  
 Email: jacqueline.stern@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**AUSA**  
 United States Attorney's Office (NDIL)  
 219 South Dearborn Street  
 Suite 500  
 Chicago, IL 60604  
 (312) 353-5300  
 Email: USAILN.ECFAUSA@usdoj.gov  
*ATTORNEY TO BE NOTICED*

**Pretrial Services**

435-5545  
 Email:  
 ilnptdb\_Court\_Action\_Notice@ilnpt.uscourts.gov

*ATTORNEY TO BE NOTICED*

**Probation Department**

408-5197  
 Email: Intake\_Docket\_ILNP@ilnp.uscourts.gov  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/28/2007	<u>1</u>	INFORMATION as to Jaime Barraza Cruz (1) count(s) 1 (meg. ) (Entered: 11/30/2007)

11/28/2007		(Court only) ***Set/Clear Flags as to Jaime Barraza Cruz to Magistrate Judge Denlow (meg, ) (Entered: 11/30/2007)
11/28/2007	(2)	DESIGNATION Sheet: FELONY (Category IV). (meg, ) (Entered: 11/30/2007)
11/30/2007	(3)	NOTICE of Arraignment as to Jaime Barraza Cruz before Honorable Matthew F. Kennelly on Monday, 12/3/2007 at 9:30 a.m. (meg, ) (Entered: 11/30/2007)
12/03/2007	(4)	MINUTE entry before Judge Matthew F. Kennelly as to Jaime Barraza Cruz :Arraignment held. Defendant enters a plea of not guilty to all counts of the information. Defendant waives the right to prosecution by indictment. Waiver of indictment signed in open court. Change of plea set to 12/19/2007 at 2:30 p.m. Ordered time excluded pursuant to 18 U.S.C. 3161(h)(1)(F). Mailed notice (meg, ) (Entered: 12/06/2007)
12/03/2007	(5)	WAIVER of indictment by Jaime Barraza Cruz (meg, ) (Entered: 12/13/2007)
12/19/2007	(6)	MINUTE entry before Judge Matthew F. Kennelly as to Jaime Barraza Cruz: Defendant withdraws plea of not guilty and enters a plea of guilty to Count One of the Information. Enterfinding of guilty. Case referred to the Probation Office for the preparation of a presentence report.Sentencing set to 4/2/2008 at 1:30 PM.Mailed notice (yap, ) (Entered: 12/20/2007)
12/19/2007	(7)	PLEA Agreement as to Jaime Barraza Cruz (las, ) (Entered: 12/26/2007)
04/01/2008	(8)	MOTION by Jaime Barraza Cruz to continue <i>Sentencing Date</i> (Leinenweber, Thomas) (Entered: 04/01/2008)
04/01/2008	<del>9</del>	NOTICE of Motion by Thomas More Leinenweber for presentment of motion to continue <u>8</u> before Honorable Matthew F. Kennelly on 4/2/2008 at 01:30 PM. (Leinenweber, Thomas) (Entered: 04/01/2008)
04/01/2008	<del>10</del>	ATTORNEY Appearance for defendant Jaime Barraza Cruz by Thomas More Leinenweber (Leinenweber, Thomas) (Entered: 04/01/2008)
04/01/2008	<del>11</del>	AMENDED NOTICE of Motion by Thomas More Leinenweber for presentment of motion to continue <u>8</u> before Honorable Matthew F. Kennelly on 4/2/2008 at 09:00 AM. (Leinenweber, Thomas) (Entered: 04/01/2008)
04/02/2008	(12)	MINUTE entry before Judge Honorable Matthew F. Kennelly:Motion to continue sentencing <u>8</u> is granted as to Jaime Barraza Cruz (1); ( Sentencing date of 4/3/2008 is vacated and reset for 4/15/2008 at 01:30 PM.) (or, ) (Entered: 04/02/2008)
04/11/2008	(13)	SENTENCING MEMORANDUM as to Jaime Barraza Cruz (Leinenweber, Thomas) (Entered: 04/11/2008)
04/11/2008	<del>14</del>	NOTICE of of Filing as toJaime Barraza Cruz regarding sentencing memorandum <u>13</u> (Leinenweber, Thomas) (Entered: 04/11/2008)

04/11/2008	(15)	Sentencing Exhibits by Jaime Barraza Cruz (Leinenweber, Thomas) (Entered: 04/11/2008)
04/11/2008	<del>16</del>	NOTICE of of Filing as to Jaime Barraza Cruz regarding miscellaneous remark <u>15</u> (Leinenweber, Thomas) (Entered: 04/11/2008)
04/15/2008	(18)	MINUTE entry before Judge Matthew F. Kennelly as to Jaime Cruz: Sentencing held. Clerk of Court is directed to term all pending motions and deadlines. Mailed notice (meg, ) (Entered: 04/21/2008)
04/15/2008	(24)	JUDGMENT (Sentencing Order) as to Jaime Barraza Cruz (1), Count(s) 1, The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of Sixty-Four (64) Months. The defendant is remanded to the custody of the United States Marshal. (Additional Imprisonment Terms). Upon release from imprisonment, the defendant shall be on supervised release for a term of Three (3) Years. (Additional Supervised Release Terms). Criminal Monetary Penalties. Schedule of Payments., Jaime Barraza Cruz terminated. Signed by Judge Honorable Matthew F. Kennelly on 4/29/08. Mailed notice (meg, ) (Entered: 05/05/2008)
04/16/2008	<del>17</del>	MOTION by USA to supplement as to Jaime Barraza Cruz <i>Government's Filing Of Defendant's Letter</i> (Attachments: # <u>1</u> Letter)(Stern, Jacqueline) (Entered: 04/16/2008)
04/23/2008	(19)	NOTICE OF APPEAL by Jaime Barraza Cruz regardin in court hearing <u>18</u> (Leinenweber, Thomas) (Entered: 04/23/2008)
04/23/2008	(20)	DOCKETING statement by Jaime Barraza Cruz regarding notice of appeal <u>19</u> (Leinenweber, Thomas) (Entered: 04/23/2008)
04/23/2008	<del>21</del>	NOTICE of of Filing Appeal as to Jaime Barraza Cruz regarding docketing statmeent <u>20</u> , notice of appeal <u>19</u> (Leinenweber, Thomas) (Entered: 04/23/2008)
04/24/2008	<del>22</del>	NOTICE of Appeal Due letter sent to counsel of record (dj, ) (Entered: 04/24/2008)
04/24/2008	<del>23</del>	Transmission of short record as to Jaime Barraza Cruz to US Court of Appeals re notice of appeal <u>19</u> (dj, ) (Entered: 04/24/2008)
05/02/2008		JUDGMENT and Commitment as to Jaime Barraza Cruz issued to U.S. Marshal (meg, ) (Entered: 05/05/2008)
05/12/2008	(25) s/c	SENTENCING Recommendation including J&C with Statement of Reasons as to Jaime Barraza Cruz (RESTRICTED) (meg, ) (Entered: 05/12/2008)
05/12/2008	(26) s/c	PRESENTENCE Investigation Report as to Jaime Barraza Cruz (RESTRICTED) (meg, ) (Entered: 05/12/2008)

**KEY**

All circled items are included in this record.

All crossed out items are not included in the record.

S/C: These items are sent under a separate certificate.

N/A: These items are not available.